

1 ROBERT D. FRAM (Bar No. 126750)
2 Email: rfram@cov.com
3 COVINGTON & BURLING LLP
4 One Front Street
San Francisco, CA 94111
Telephone: (415) 591-6000
Facsimile: (415) 591-6091

Attorneys for Defendant
TREND MICRO INCORPORATED

STEFANI E. SHANBERG (Bar No. 206717)
Email: sshanberg@wsgr.com
WILSON SONSINI GOODRICH & ROSATI
650 Page Mill Road
Palo Alto, CA 94304
Telephone: (650) 493-9300
Facsimile: (650) 493-6811

Attorneys for Plaintiff
FORTINET, INC.

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

10 FORTINET, INC., a Delaware Corporation,

Civil Case No.: C 10-0048 MMC

11 Plaintiff,

STIPULATION AND [PROPOSED] ORDER OF DISMISSAL

13 TREND MICRO INCORPORATED, a
California Corporation.

Defendant.

IT IS HEREBY STIPULATED by and between the parties to this action through their designated counsel that the above-captioned action be and hereby is dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1).

Each party shall bear its own attorneys' fees and costs.

1 DATED: December 29, 2011

WILSON SONSINI GOODRICH & ROSATI

2 By: /s/ Stefani E. Shanberg¹

3 Stefani E. Shanberg

4 Attorneys for Plaintiff

5 FORTINET, INC.

6 DATED: December 29, 2011

COVINGTON & BURLING LLP

7 By: /s/ Robert D. Fram

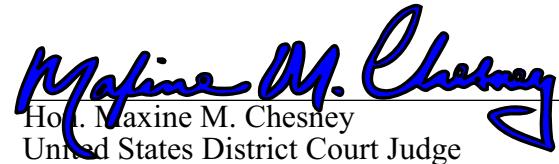
8 Robert D. Fram

9 Attorneys for Defendant

10 TREND MICRO INCORPORATED

11 **IT IS SO ORDERED.**

12 DATED: January 9, 2012

13 
Hon. Maxine M. Chesney
United States District Court Judge

14

15

16

17

18

19

20

21

22

23

24

25

26

27 ¹ In compliance with General Order 45.X.B, I hereby attest that concurrence in the filing of this

28 document has been obtained from the other signatory hereto.